HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.384 of 1998

Date: 5th December, 2006

Between :-

T. Venkatasubba Reddy alias Subba Reddy ..

Petitioner

And

The Mandal Revenue Officer,
Pendlimarri, Cuddapah District and another
..Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.384 of 1998

ORDER:-

The Writ Petition is filed for a Writ of Certiorari calling for all the connected records including the impugned eviction notice dated 29-12-1997 of the 1st respondent and quash the same as illegal, improper, unjust, arbitrary and violation of principles of natural justice and further declare the action of the 1st respondent in evicting the petitioner from the land in S.No.635 to an extent of Ac.1.16 cents of Lemon Garden of Nandimandalam village, Pendlimarri Mandal, Cuddapah District as illegal, improper, unjust, arbitrary and pass such other suitable orders.

2. It is stated that the land in Sy.No.635 is classified as Vanka Poramboke and the patta land of the petitioner to an extent of 3.00 acres is adjoining to the said survey number and it is also stated that the father of the petitioner reclaimed the land in S.No.635 to an extent of 1.16 acres. Several factual details are narrated and filing of O.S.No.367/97 on the file of IV Additional District Munsiff, Cuddapah also had been referred to.

3. This Court issued *rule nisi* on 6-1-1998 and granted interim direction also in W.P.M.P.No.442/1998.

4. In the light of the facts and circumstances well explained in paras 2, 3, 4, 5 and 6 of the affidavit filed in support of the Writ Petition, this Court is of the considered opinion that the Writ Petition be disposed of directing the respondents not to dispossess the petitioner unless and until the due process of law is followed.

5. The Writ Petition is disposed of accordingly. No order as to costs.

_____

Justice P.S.Narayana

5th December, 2006

smr